

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 280

Citations Affected: IC 2-7-3-2; IC 2-7-3-6.

Synopsis: Lobbyist reports. Conference committee report for ESB 280. Revises the dates by which lobbyist activity reports must be filed. Requires a lobbyist to file a report of gifts or purchases with the principal clerk of the house or the secretary of the senate in addition to filing the reports with the lobby registration commission and the affected legislator. Requires a lobbyist, not later than January 7, to provide a cumulative report covering the previous calendar year to each legislator to whom the lobbyist has made a gift or with respect to whom a purchase made by the lobbyist is reportable. **(This conference committee report inserts the language regarding filing reports of gifts and purchases described above. The conference committee report removes the language relating to purchases made in the ordinary course of business from legislators, legislators' family members, or officers or employees of the general assembly.)**

Effective: July 1, 2003.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 280 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 2-7-3-2 IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) One (1) activity report shall
- 4 be filed not later than ~~July 31~~, **May 31**, covering the period from
- 5 ~~January 1 through June 30~~. **November 1 of the immediately**
- 6 **preceding calendar year through April 30**. The other activity report
- 7 shall be filed not later than ~~January 31~~, covering the period from July
- 8 ~~1 through December 31~~ of the immediately preceding calendar year.
- 9 **November 30, covering the period from May 1 through October 31.**
- 10 **The commission shall provide a copy of an activity report to a**
- 11 **member of the general assembly at the request of the member.**
- 12 (b) Subject to subsections (c) and (d), the commission shall impose
- 13 a penalty of ten dollars (\$10) per day for each day that the person fails
- 14 to file any report required by this chapter until the report is filed.
- 15 (c) The penalty shall not exceed one hundred dollars (\$100) per
- 16 report.
- 17 (d) The commission may waive the penalty if the commission
- 18 determines that the circumstances make imposition of the penalty
- 19 inappropriate.
- 20 SECTION 2. IC 2-7-3-6, AS AMENDED BY P.L.205-1999,
- 21 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2003]: Sec. 6. (a) A lobbyist shall file a written report with respect to a member of the general assembly whenever either of the following occurs:

(1) The lobbyist has made a purchase described in IC 2-2.1-3-2(a)(7) with respect to that member. This subdivision does not apply to purchases made after December 31, 1998, by a lobbyist from a legislator's retail business made in the ordinary course of business at prices that are available to the general public. For purposes of this subdivision, a legislator's business is considered a retail business if the business is a retail merchant as defined in IC 6-2.5-1-8.

(2) The lobbyist has made a gift described in IC 2-2.1-3-2(a)(8) to that member.

(b) A report required by subsection (a) must state the following:

(1) The name of the lobbyist.

(2) Whether the report covers a purchase described in IC 2-2.1-3-2(a)(7) or a gift described in IC 2-2.1-3-2(a)(8).

(c) A lobbyist shall file a copy of a report required by this section with ~~both of all~~ the following:

(1) The commission.

(2) The member of the general assembly with respect to whom the report is made.

(3) The principal clerk of the house of representatives, if the legislator is a member of the Indiana house of representatives.

(4) The secretary of the senate, if the legislator is a member of the Indiana senate.

(d) A lobbyist shall file a report required by subsection (a) not ~~more~~ **later than thirty (30) seven (7)** days after making the purchase or giving the gift.

(e) Not later than January 7, a lobbyist who has filed a report under this section regarding a member of the general assembly shall provide to that member a cumulative report listing all purchases and gifts for that member during the immediately preceding calendar year.

SECTION 3. [EFFECTIVE JULY 1, 2003] (a) A lobbyist's activity report required to be filed not later than November 30, 2003, by IC 2-7-3-2, as amended by this act, shall, notwithstanding IC 2-7-3-2, as amended by this act, cover the period from July 1, 2003, through October 31, 2003.

(b) This SECTION expires July 1, 2004.

(Reference is to ESB 280 as printed April 7, 2003.)

Conference Committee Report
on
Engrossed Senate Bill 280

Signed by:

Senator Miller
Chairperson

Representative Mahern

Senator Sipes

Representative Buell

Senate Conferees

House Conferees